

An **Examiner's Amendment** to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Mr. G. Patrick Sage, on 6/10/2008.

#### **Examiner's Amendment to the Claims**

Cancel claim 36.

#### **Examiner's Amendments to the Specification**

In page 1, underneath the title insert the following:

--- This application is a 371 of PCT/Fr04/02081, filed 8/4/2004, which claims priority to French patent application 030697 filed 8/6/2003. ---.

The following is an **Examiner's Statement of Reasons for Allowance**:

Claims 21, 24-25, 27-35, 37-38 and 40 are directed to an isolated and specific peptide (of specific amino acid sequence) which interacts with anti-apoptotic proteins, Bcl-2, Bcl-XL and Bcl-W, DNA coding for said peptide, vectors and host cells comprising said DNA, and methods of identifying modulators utilizing said peptides. Claimed peptide is free of prior art. Further, the prior art fails to teach such specifically claimed peptide. Hence, said peptide is also non-obvious. Since said peptide is both novel and non-obvious, DNA encoding said peptide, as claimed, vectors, host cells comprising

said DNA and claimed methods of screening for modulators utilizing said peptide are also novel and non-obvious.

**Claims 21, 24-25, 27-35, 37-38 and 40 are allowed.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maryam Monshipouri whose telephone number is (571) 272-0932. The examiner can normally be reached on Tues.-Fri., from 7:00 a.m to 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathleene Kerr Bragdon can be reached on (571) 272-0931. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Maryam Monshipouri/

Primary Examiner, Art Unit 1656

